UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

David W. Reynolds,	Case No. 20-cv-2259 (ECT/DTS)
Plaintiff,	
v.	**REPORT AND RECOMMENDATION**
County Court of Ottertail County,	
Defendant.	

In an order dated February 22, 2021, this Court ordered Plaintiff David W. Reynolds to file an amended complaint meeting certain conditions. *See* Order 1, Dkt. No. 14. Reynolds was given 30 days—until March 24, 2021—to submit the amended complaint, failing which this Court would recommend dismissing this action without prejudice for failure to prosecute. *See* Fed. R. Civ. P. 41(b).

That deadline has now passed, and Reynolds has not submitted an amended complaint. Accordingly, this Court now recommends, in accordance with its prior order, that this action be dismissed without prejudice under Rule 41(b) for failure to prosecute. *See, e.g.*, *Henderson v. Renaissance Grand Hotel*, 267 F. App'x 496, 497 (8th Cir. 2008) (per curiam) ("A district court has discretion to dismiss an action under Rule 41(b) for a plaintiff's failure to prosecute, or to comply with the Federal Rules of Civil Procedure or any court order.").

RECOMMENDATION

Based upon the foregoing, and on all the files, records, and proceedings herein,

this Court **RECOMMENDS** that this action be **DISMISSED WITHOUT PREJUDICE** under

Federal Rule of Civil Procedure 41(b) for failure to prosecute.

Dated: April 2, 2021   __s/David T. Schultz_____
                                            DAVID T. SCHULTZ
                                            U.S. Magistrate Judge

NOTICE

Filing Objections: This Report and Recommendation is not an order or judgment of the District Court and is therefore not appealable directly to the Eighth Circuit Court of Appeals.

Under Local Rule 72.2(b)(1), "a party may file and serve specific written objections to the magistrate judge's proposed findings and recommendations within 14 days after being served a copy" of the Report and Recommendation. A party may respond to those objections within 14 days after being served a copy of the objections. *See* Local Rule 72.2(b)(2). All objections and responses must comply with the word or line limits set forth in Local Rule 72.2(c).